



PATENT  
0020-4559P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS: Eijiro WATANABE et al.

APPLN. NO.: 09/301,766

GROUP: 1638

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FILED: April 29, 1999

EXAMINER: Zaghmout TECH CENTER 1609/2990

FOR: RAFFINOSE SYNTHASE GENES AND THEIR USE

TERMINAL DISCLAIMER

Assistant Commissioner for Patents  
Washington, DC 20231

November 9, 2000

Sir:

Sumitomo Chemical Company, Limited, (hereinafter "the  
Assignee")

- ☐ residing at ,
- ☒ a corporation of Japan having a principal place of  
business at 5-33, Kitahama 4-chome, Chuo-ku, Osaka-shi,  
Osaka-fu, Japan,
- ☐ a university having an address of ,

represents that it is the true owner of the entire interest of  
U.S. patent Application No. 09/301,766, filed on April 29, 1999,  
for "RAFFINOSE SYNTHASE GENES AND THEIR USE" (hereinafter "above-  
identified application") by virtue of and as evidenced by an  
Assignment recorded at the United States Patent and Trademark  
Office at Reel 9928, Frame(s) 0997-0999.

The Assignee hereby disclaims the terminal part of any  
patent granted on the above-identified application which would  
extend beyond the expiration date of any patent which issues from

Application No.: 09/301,766

the co-pending Application No. 08/992,914, (hereinafter "co-pending application") and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent which issues from the co-pending application, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent which issues from the co-pending application in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignee by the undersigned, an attorney of record in the above-identified application.

Application No.: 09/301,766

Please charge any fees or credit any overpayment pursuant to  
37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: November 9, 2000

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